

REMARKS

These remarks are set forth in response to the non-final office action mailed December 13, 2004 (the "Office Action"). As this amendment has been timely filed within the three-month statutory period, neither an extension of time nor a fee is required. Presently, claims 1 through 8 are pending in the Patent Application. Claims 1, 7 and 8 are independent in nature. In paragraphs 3 through 6 of the Office Action, claims 1 through 8 have been rejected under 35 U.S.C. 112, first and second paragraph due to the incorporation of the phrase "predetermined criteria" in claims 1, 7 and 8. Also, claim 7 has been objected to for having an improper form. The Abstract of the Invention yet further has been objected to for having incorporated content which deviates from normally acceptable content for an Abstract.

In response, the Applicants have amended the specification to incorporate a substitute Abstract of the Invention which includes content which comports with normally acceptable content for an Abstract. Moreover, the Applicants have amended claim 7 to include the method steps of claim 1 so as to place claim 7 in proper claim form for examination in the United States Patent and Trademark Office. Finally, the Applicants have amended each of claims 1, 7 and 8 to remove all references to the phrase "predetermined criteria" so as to overcome the Examiner's rejections under 35 U.S.C. § 112, first and second paragraphs. Accordingly, withdrawal of all of the above-referenced rejections and objections is respectfully requested.

Turning now to the rejections on the art, in paragraphs 7 and 8 of the Office Action, claims 1 through 8 have been rejected under § 102(b) as being anticipated by United States Patent No. 5,826,245 to Sandberg-Diment. Sandberg-Diment relates to a method for passing confidential information over an unsecured network with reduced risk of the confidential

information being captured by an un-trusted party. Specifically, Sandberg-Diment teaches a method and apparatus for giving verification information with respect to a transaction between an initiating party and a verification-seeking party, the verification information being given by a third, verifying party, based on confidential information in the possession of the initiating party.

On behalf of the initiating party, first and second tokens are generated, each of which represents some but not all of the confidential information. The first token is sent electronically via a non-secure communication network from the initiating party to the verification-seeking party. The second token also is sent electronically via a non-secure communication network from the initiating party to the verifying party. Subsequently, the confidential information is verified at the verifying party based on the first and second tokens. Finally, verification information is sent electronically via a non-secure communication network from the verifying party to the verification-seeking party.

Unlike the teachings of Sandberg-Diment, the Applicants' invention presents an architecture for client-server applications in which client and server each establishes a credential access policy (CAP) for each of its credentials. In the Applicants' architecture, a credential is disclosed only when its CAP is satisfied by credentials obtained from the opposing software agent. When an agent requires additional credentials, the agent can request the required credentials. In this regard, credentials flow between the client and server through a sequence of alternating credential requests and disclosures referred to as "trust negotiation". In the Applicants' invention, the trust negotiation can be used to specify negotiation strategies.

Specifically, a negotiation strategy determines characteristics of a negotiation such as which credentials are requested and disclosed, and when the negotiation is halted. Two

negotiation strategies claimed within the independent claims 1, 7 and 8 of the above-reference patent application include an eager strategy and a parsimonious strategy. These two negotiation strategies differ in the number of credentials that are exchanged. Participants using the eager strategy turn over all their credentials as soon as their CAPs are satisfied, without waiting for the credentials to be requested. Conversely, participants using the parsimonious strategy exchange credential requests that focus the credential exchange, achieving local minimality of disclosures.

Importantly, section 2131 of the Manual of Patent Examining Procedure (MPEP) states, "A claim is anticipated *only if each and every element as set forth in the claim is found*, either expressly or inherently described in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628 (Fed. Cir. 1987). Clearly, *Sandberg-Diment does not teach the dual uses of an eager strategy and a parsimonious strategy as explicitly recited in each of the independent claims*. In the Office Action, column 2, lines 49-59 and column 3, lines 43-54 are recited in support of the contrary proposition--that the eager strategy and parsimonious strategy are used in the verification process of Sandberg-Diment.

In particular, Sandberg-Diment, at column 2, lines 39-59, describes that at a purchaser's station, the credit card number of the purchaser is split into two portions with one portion being sent directly to the vendor and the other portion being sent to a third party verification party. Sandberg-Diment, therefore does not teach the claim 1 limitation of one party disclosing all sensitive credentials to the other party, because the other party--the vendor--is specifically shielded from receiving all of the sensitive credentials since only half of the credit card is sent to the vendor.

The verification party is not the “other party” because everyone trusts that party already. The two parties must be the vendor and the purchaser, where trust is being established between them. This reference also does not teach the claim 1 language of such transmission by one party taking place “irrespective of whether or not transmission of such sensitive credentials is necessary in order to complete the transaction”, because the credit card number is absolutely necessary in order to complete the transaction. The “eager strategy” described in page 6 of the above-referenced patent application involves one party sending credentials to the other party irrespective of whether such credentials are used in the transaction.

Similarly, column 3, lines 34 through 54 of Sandberg-Diment does not teach a parsimonious strategy. Specifically, the cited portion of Sandberg-Diment teaches the comparison of tags with credit card numbers in the terminal of the verification agent. When the tags of two received pieces are found to match, the verification agent removes the tag from the end of the piece and from the beginning of the piece to obtain the credit card number of a consumer. Quite obviously, this reference bears no relationship the definition of a parsimonious strategy provided in page 6 of the above-referenced patent application. Accordingly, Sandberg-Diment wholly fails to teach every claimed limitation as required by section 2131 of the MPEP.

In conclusion, the Applicants believe that amended and un-amended claims 1 through 8 distinguish over the cited art and stand patentable and ready for an indication of allowance. To that end, the Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. §§ 112 and 102(b) based upon the amendments to the specification and to the claims and owing to the foregoing remarks. This entire application is now believed to be in condition for allowance. Consequently, such action is respectfully requested. The Applicants request that the Examiner

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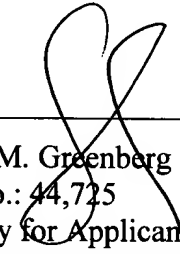
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call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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